

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JAMES A. BABCOCK, JR.,	)	Case No. 4:05CV3122
	)	
Plaintiff,	)	
	)	
vs	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
MID PLAINS COMMUNITY	)	
COLLEGE, RON AXTELL,	)	
	)	
Defendants.	)	

Pending before me is a motion for summary judgment. For two reasons, I will deny the motion.

First, the defendants did not comply with NECivR 56.1(a)(2). That is, the defendants failed to provide a statement of facts consisting of “short numbered paragraphs . . . .” *Id.* Second, the defendants did not comply with the progression order. That is, in their statement of uncontested facts, the defendants failed to reference “the element(s) of the claim or defense” to which each fact related. (Filing 18 ¶ 1.)

I am committed to resolving summary judgment motions as fast as possible. I try hard to resolve them within 60 days after they are ripe. In order to do this, I require reasonably strict compliance with our rules and progression orders. I require this level of compliance because these requirements help me quickly differentiate between cases that warrant summary disposition and cases that do not warrant summary disposition. The failure to satisfy these requirements impedes the timely disposition of cases. Therefore, and as a general matter, I am unwilling to overlook these types of violations even though I may appear overly picky as a result.

Accordingly,

IT IS ORDERED that the motion for summary judgment (filing 19) is denied. The stipulation (filing 26) to permit defendants to file a reply brief out of time is granted.

September 18, 2006.

BY THE COURT:

s/ *Richard G. Kopf*  
United States District Judge